IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

WP(C).No. 18493 of 2005(B)

PETITIONER:

PHILOMINA JOSEPH V.,
JOPHY COTTAGE, H.M.T. JUNCTION, H.M.T. ROAD,
KALAMASSERY (RETIRED SECRETARY, H.M.T. STAFF AND
WORKERS CREDIT CO-OPERATIVE SOCIETY,KALAMASSERY).

BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR

RESPONDENTS:

1. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
TRIVANDRUM.

2. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL), ERNAKULAM.

3. THE H.M.T. STAFF AND WORKERS CREDIT
CO-OPERATIVE SOCIETY LTD.NO.E.302, KALAMASSERY,
REPRESENTED BY THE PART TIME ADMINISTRATOR.

*4. BOARD OF DIRECTORS OF THE H.M.T. STAFF AND WORKERS CREDIT,
CO-OPERATIVE SOCIETY LTD. NO. E-302,
KALAMASSERY,
REPRESENTED BY ITS PRESIDENT.

(*IMPLEADED AS ADDITIONAL 4TH RESPONDENT AS PER ORDER DATED 21/7/06 IN I.A.No 10143/06.)

BY ADV. SRI.N.K.SUBRAMANIAN
ADV. SHRI.P.K.RAVI KRISHNAN, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)No. 18493/2005

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE JUDGMENT IN W.P.(C)No. 15927/2004 DATED 28/6/04.

P2 : COPY OF THE JUDGMENT IN WA NO. 1488/2004 DATED 11/8/2004.

P3 : COPY OF THE REPRESENTATION DATED 18/5/2005.

P4 : COPY OF THE REPRESENTATION DATED 20/5/2005.

P5 : COPY OF THE LETTER OF THE ADMINISTRATOR DATED 18/5/2004.

P6 : COPY OF THE REPRESENTATION DATED 25/05/2005.

P7 : COPY OF THE REPRESENTATION DATED 30/5/2005 TO THE REGISTRAR.

P8 : COPY OF THE LETTER PTA-1/05 DATED 03/06/2005.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 18493 of 2005 B

Dated, this the 2nd day of April, 2007

J U D G M E N T

Petitioner was Secretary of 3rd respondent Society. According to the petitioner she resigned by submitting resignation letter on 18/05/2005 and discontinued attending office from 03/06/2005 onwards. Petitioner's grievance is that in the course of 1 ½ years respondents have not decided about the resignation and benefit due to petitioner and no retirement benefits are given to her. The learned counsel appearing for the 3rd respondent submitted that Administrator is in charge of the society now. Since the Administrator is discharging the function of the Board, this WP(C) is disposed of directing the Administrator to verify the accounts, terms of appointment etc. and accept petitioner's resignation, if there is no objection about it. If any clarification is required from the petitioner, call for the same and settle her accounts by issuing final proceedings within three months from the date of production of a copy of this

judgment. Entire eligible terminal benefits should be given to the petitioner within three months from today. If any claim is declined, the same shall be done for proper reason and should be communicated to the petitioner.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg